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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,809	07/14/2000	James Richard Wason	13679(END9-2000-0080US1)	6597

7590 11/10/2003
Richard L Catania Esq
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400 Garden City Plaza
Garden City, NY 11530

EXAMINER

CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/616,809

Applicant(s)

WASON, JAMES RICHARD

Examiner

Joshua D Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Application filed on 07/14/2000, IDS filed on 01/09/2001, and Formal Drawings filed on 01/09/2001.
2. Claims 1-13 are pending in this case. Claims 1, 6, and 10 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikinis (US Patent Application Publication Number 2002/0049833, filed on May 4, 1998).

4. **Regarding independent claim 1, the applicant discloses:**
 - forming a template from fragments of the text file;
 - o Kikinis discloses a method in which a listing of parameters is used to form a template, it is inherent that this listing exists as text for processing purposes (Page 2, paragraph 0013 of Kikinis).

- using the template as an overlay for parsing incoming files, or as a prototype to generate a segment of an output file;
 - o Kikinis discloses a method in which a template is used to translate (parse) web pages transmitted by a server (Page 2, paragraph 0013 of Kikinis).
- using a macro class to map data from the text file to an application;
 - o Kikinis discloses a method in which scripts (macro – see Microsoft Press Computer Dictionary, 1999, page 422 “script” and page 294 macro) are used to load web pages to be used as data for the template application (Page 2, paragraph 0017-0020 of Kikinis). Microsoft
- embedding the macro class as a keyword within the template, wherein when the template reaches the keyword, the template calls the macro class to further process the text file.
 - o Kikinis discloses a method in which scripts in the templates is used in the file processing (Abstract of Kikinis), as defined by Microsoft Press Computer Dictionary (1999, pages 294-295 and 422-423) a script is synonymous with a macro and a macro is defined to be a short hand (keyword) way to carry out instructions that would normally require a large number of keystrokes.

5. **Regarding dependent claim 2**, the applicant discloses:

- that the macro class reads in a segment of the text file and uses the segment to initiate application update processing.

- Kikinis discloses a method in which a script loads real-time (updated) data from web pages to start the filling of a template (Page 2, paragraph 0017-0020 of Kikinis).

6. **Regarding dependent claim 3**, the applicant discloses:

- that the macro class derives data from the application and formats it into the text file.
 - Kikinis discloses a method in which the scripts provide HTML (text) files (Page 2, paragraphs 0017-0020 of Kikinis).

7. **Regarding dependent claim 4**, the applicant discloses:

- that the macro class derives a template name from the invoking template and uses that name to invoke a next template to further process the text file.
 - Kikinis discloses a method in which a number of templates may be used to on a set of information, which is contained in the parameters of a template and executed by the application during processing (Page 15, paragraphs 0194-0196).

8. **Regarding dependent claim 5**, the applicant discloses:

- providing an interface controller to prevent structure clashes by placing text data into appropriate places in a complex object structure as the text file is processed.
 - Kikinis discloses a method in which an application operates based on templates, which include details about the client's viewing device and parameters, contained within a template, regarding the client in order to

correctly provide a viewable document to the client (Page 2, paragraph 0013 of Kikinis).

9. **Regarding independent claim 6 and dependent claims 7-9**, the claims incorporate substantially similar subject matter as claims 1-3 and 5. Thus, the claims are rejected along the same rationale as claims 1-3 and 5.

10. **Regarding independent claim 10 and dependent claims 11-13**, the claims incorporate substantially similar subject matter as claims 1-3 and 5. Thus, the claims are rejected along the same rationale as claims 1-3 and 5.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Number 6,605,120, filed December 10, 1998, by Fields et al.

US Patent Number 6,535,896, filed January 29, 1999, by Britton et al.

US Patent Number 6,338,059, filed December 17, 1998, by Fields et al.

US Patent Number 6,490,601, filed January 15, 1999, by Markus et al.

**US Patent Application Publication Number 2003/0188262, priority date
October 29, 1999, by Maxwell et al.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

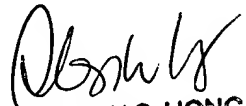
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

jdc
October 31, 2003


STEPHEN S. HONG
PRIMARY EXAMINER